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11
12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 Tony Hobson,
15 Petitioner,
16 v.
17 William Hutchings, *et al.*,
18 Respondents.

Case No. 2:20-cv-00503-KJD-NJK

**Unopposed motion for extension of
time in which to file motion to stay
(First request)**

19 Mr. Hobson respectfully moves this Court for an extension of time of thirty (30)
20 days, from January 24, 2022, to and including February 23, 2022, in which to file a
21 motion to stay.

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ARGUMENT

The Court issued an order on January 3, 2022, resolving the State's motion to dismiss and directing Mr. Hobson to file a pleading in response to the order. ECF No. 38. Mr. Hobson anticipates filing a motion to stay. The deadline for the motion is January 24, 2022.

Counsel respectfully suggests additional time is necessary to properly prepare the motion to stay. Mr. Hobson expects to file a motion to stay roughly contemporaneously with a new state court petition raising Ground Three. Counsel requires additional time to prepare both the motion to stay and the corresponding state court pleading. In addition, counsel spoke to Mr. Hobson on January 11, 2022, about the Court's order, and counsel expects to have another conversation with Mr. Hobson before finalizing and filing both pleadings. Counsel therefore suggests the proposed extension is appropriate.

Counsel has had many competing professional obligations since the Court issued its January 3 order, in particular an oral argument conducted on January 14, 2022, in *Bradford v. Johnson*, Case Nos. 21-16279, 21-16373 (9th Cir.). Counsel was also out of the office on vacation during the week of January 17. In addition, counsel has many competing obligations in the coming month, including an amended petition due on January 31, 2022, in *Patterson v. Williams*, Case No. 2:20-cv-01267-GMN-NJK (D. Nev.); an amended petition due on January 31, 2022, in *Carroll v. Dzurenda*, Case No. 2:20-cv-01691-GMN-NJK (D. Nev.); an application for a certificate of appealability due on February 1, 2022, in *Melendez v. Neven*, Case No. 21-17135 (9th Cir.); a second amended petition due on February 9, 2022, in *Sawyer v. Baker*, Case No. 3:16-cv-00627-MMD-WGC (D. Nev.); and an oral argument scheduled for February 17, 2022, in *Murray v. Howell*, Case No. 21-15104 (9th Cir.). Mr. Hobson therefore requests a new deadline of February 23, 2022.

On January 14, 2022, counsel contacted Deputy Attorney General Sheryl Serreze and informed her of this extension request. As a matter of professional courtesy, Ms. Serreze had no objection to the request. Her lack of objection shouldn't be considered a waiver of any procedural defenses or statute of limitations challenges or construed as agreeing with the accuracy of the representations in this motion.

In sum, counsel requests an additional thirty (30) days, up to and including February 23, 2022, in which to file the motion to stay. This is counsel's first request for an extension of time to file the motion. This motion isn't filed for the purposes of delay, but in the interests of justice, as well as in Mr. Hobson's interest. Counsel respectfully asks the Court to grant the requested extension.

Dated January 24, 2022.

Respectfully submitted,

Rene L. Valladares
Federal Public Defender

/s/ *Jeremy C. Baron*
Jeremy C. Baron
Assistant Federal Public Defender

IT IS SO ORDERED:

United States District Judge

Dated: 1/24/2022